



**Consultation Document -  
Proposed changes to Boat  
Safety Scheme  
requirements for hire boats  
September 2015**

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## Section 1 - Foreword and introduction

Dear consultee,

This public consultation proposes changes to the Boat Safety Scheme (BSS) requirements for hire boats. It follows a risk review on behalf of the UK's inland waterway navigation authorities that involved hire operators, navigation authorities, trade representatives and boating, including boat hiring representatives.

The responsibility for the safety of those people hiring boats and anyone in the close proximity of the hired boat rests jointly with the people aboard, the hire operators/boat owners and navigation authorities. All must take steps to ensure that the risks are reduced to as low as reasonably practical.

In support of this aim, it is proposed to introduce the revised set of BSS requirements for hire boats from April 2016. There are two elements to the proposals.

- a) the introduction of six new BSS hire boat requirements.
- b) the BSS private boats requirements should be adopted as the basis of BSS requirements for hire boats. This proposal includes:
  - the formal adoption for hire boats of the 23 additional or wider scope BSS private boat requirements introduced in recent years.
  - the introduction of five clarifications or improvements concerning the existing BSS hire boat standards.

In the aforementioned three-way responsibility regarding safety we recognise that the hiring boaters will not be able to control the risks associated with the condition, equipping or construction of boats. So it follows that all relevant BSS requirements are mandatory for hire boats and this factor represents the key difference in looking at the requirements for hire craft and the mix of requirements and advice checks for privately-owned and privately managed boats.

I should mention that the BSS is only one of the means the navigation authorities use to help keep hirers safe. The navigation authorities will separately be consulting on the introduction of the revised Hire Boat Code published jointly by the Maritime & Coastguard Agency / Association of Inland Navigation Authorities / British Marine, as a licensing condition, including the proposal to introduce stability testing of hire boats.

The BSS proposals set out in the current consultation are presented as both necessary and proportionate risk controls and I would welcome your comments upon them. In doing so I would also ask you to recognise the hard work of all the volunteers and professionals involved with the BSS committees to reach this consultation stage. I certainly am very appreciative of their considerable contribution.

**Vince Moran, Chair of the BSS Management Committee**

## Section 2 - Background to the consultation

The current Boat Safety Scheme (BSS) hire boat requirements utilise the 2002 Boat Safety Scheme Standards.

The scope of the consultation covers all hire boats operating on waterways that have adopted the BSS.

For the purposes of this consultation hire boat means, any powered boat such as weekly and day hire craft:

- let or hired under an arrangement, whether or not on a pre-contract basis;
- the subject of a bare boat charter arrangement;
- the subject of any form of third-party managed shared-use arrangement (including timeshare or shared ownership).

The term 'hire boat' does not include:

- privately owned or managed boats;
- boats operating commercially with a skipper or crew, and which carry passengers;
- workboats;
- emergency service boats and rescue boats.
- hotel boats,
- boats let as residences or longer term accommodation

The BSS hire boat requirements need to be modernised to reflect the findings of previous private boat requirement risk reviews in 2004 and 2012 and to take account of the Hirer Safety Review undertaken in 2013.

The initial part of the current risk-review included the following review of BSS hire boat requirements through the BSS Technical Committee:

- the existing published BSS private boat requirements were assessed for their appropriateness and relevance for hire boats.
- the current BSS hire boat requirements published in the 2002 BSS standards that are in excess of the 2013 BSS private boat requirements were assessed for their continued relevance.
- the coverage of hirer safety published in the Hire Boat Code<sup>1</sup> that were over and above the current BSS hire boat requirements were risk-reviewed.

Then the BSS committees took account of the findings of the 2013 Hirer Safety Review, which included an expert group agreeing what the biggest risks to hirers were and considering whether anything further should to be done to reduce them.

Boat numbers and accident data for 2007 to 2012 across all inland boating sectors was gathered from all the navigation authorities. Accident and fatality data from the Water

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<sup>1</sup> Code for the Design, Construction and Operation of Hire Boats. Part 1: Power driven boats (Hire Boat Code) <https://www.gov.uk/government/publications/the-hire-boat-code>

Incident Database (WAID) and BSS records were analysed as were reports from the Marine Accident Investigation Branch (MAIB) and press cuttings, to establish, where possible, the circumstances of fatalities.

The expert group included five hire operators including three narrowboat hire operators, a cruiser operator from the Broads and one from the Thames. The total length of hire operator service of these five was nearly 180 years. Also on the group were representatives from navigation authorities, marine trade and three boat hirers.

The group made some recommendations for change which were subsequently put to hire operators at a series of regional open forums.

You can read the results of all this work in the report entitled 'Navigation Authority Hirer Safety Review'<sup>2</sup>.

The review found that all the main risks are well understood and existing controls, in general, appear to be proportionate and effective in managing them down to acceptable levels.

The key risk controls identified are:

- providing and maintaining boats and equipment to appropriate safety standards,
- providing safety information and advice that is effective in informing hirers of the risks and the risk controls in place and influencing their behaviour.

The review found that:

- BSS certification is the key way to ensure that the boats are safe for hirers and that further risk review would add detail to the recommendations; and,
- key risk controls that are not part of the BSS scheme should be brought together in a revised Hire Boat Code.
- The Boaters Handbook could be revised to include improved safety information.

The navigation authorities then agreed that there should be a separation of ownership of the first two findings with:

- a) the BSS Management Committee receiving recommendations from the BSS Advisory and Technical Committees following further risk review concerning proposed BSS hire boat requirement changes; and,
- b) the Association of Inland Navigation Authorities (AINA) reviewing and co-ordinating the response of the navigation authorities concerning any proposed changed navigation authority hire boat licensing conditions, including revising the existing Hire Boat Code.

**This consultation is about proposed changes to the BSS hire boat requirements alone.** It follows detailed risk review involving close collaboration with the stakeholder groups represented on the

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<sup>2</sup> Navigation Authority Hirer Safety Review, November 2013, Ken Dodd Associates:  
<http://www.boatsafetyscheme.org/media/231417/navigation-authority-hsr-initial-recommendations-nov-13.pdf>

BSS Technical, Advisory and Management Committees. The risk review task took further the outcomes of the Hirer Safety Review.

The intention of the consultation is to ensure proposals can be promoted and subject to comment from the full range of hire operators affected; and any other interested parties. Views on any likely unintended consequences of a proposal or your views on implementation timescales would be very useful.

In due course there will be a separate consultation on the proposed revised Hire Boat Code undertaken by its owners, Association of Inland navigation Authorities (AINA), British Marine (BM) and the Maritime and Coastguard Agency (MCA).

*Note that it is open for individual navigation authorities to determine whether the proposed revised Hire Boat Code should be introduced as a licensing condition or to vary the actual content of any changes to their hire operator licensing conditions and the precise timing of the implementation of any changes.*

## Section 3 - Summary of proposed changes

The proposed relatively small number of warranted additional or revised Boat Safety Scheme risk control measures for hire boats, which are sub-divided between:

- The introduction of six new BSS hire boat requirements (3.1);
- The implications of the BSS private boats requirements being adopted as the basis of BSS requirements for hire boats, namely the formal adoption for hire boats of the 23 additional or wider scope BSS private boat requirements introduced in recent years, and the clarification or improvement to five of the existing BSS hire boat standards.

### 3.1 The proposal to introduce six new BSS hire boat requirements

We are proposing to add the following six new mandatory BSS hire boat requirements:

- a) suitable smoke alarm(s) on hire boats having overnight accommodation;
- b) suitable CO alarm(s) on hire boats having solid fuel stove installations;
- c) a visual indication concerning the risk of hirers being knocked overboard by the swing of the tiller arm on narrowboats;
- d) a labels identifying secondary means of escape where these are not self-evident;
- e) a Crew Area and Access Limitation Label<sup>3</sup> in view of all main helm positions on all hire boats;<sup>4</sup>
- f) slip-resistant surfaces on designated external Crew Areas and the slip-resistant surfaces to be in good condition.<sup>3</sup>

See more detail in Section 4 below.

### 3.2 The proposal that the 2013 BSS private boat requirements are used as the basis of BSS hire boat requirements.

#### 3.2.1 Introduction

It is proposed that the 2013 BSS private boat requirements are used as the basis to examine hire boats, however any requirements marked as advisory for private boats will be mandatory for hire boats.

The 2013 BSS requirements provide for a modern, risk-based approach whereby greater emphasis on condition checks and the allowance of extra compliance options replace the more detailed technical requirements in the 2002 BSS standards.

The 2013 BSS requirements also better align with the current approach to balance the responsibilities of the navigation authorities with the responsibilities of the hire operators and

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<sup>3</sup> Crew Area and Access Limitation Label comes from the revised Hire Boat Code and is a visual representation of the layout of the boat and how access to some areas may be voluntarily prohibited or limited.

<sup>4</sup> subject to the navigation authorities introducing the revised Hire Boat Code as a hire boat licensing condition

hirers themselves. This is achieved through the application of the Water Safety Principles published by the National Water Safety Forum<sup>5</sup>.

The proposal is to replace the 350+ current hire boat BSS requirements published in Parts 2 – 9 of the 2002 BSS standards with 176 private boat BSS requirements published in the 2013 BSS Examination Checking Procedures.

Also, Part 10 of the existing 2002 BSS standards will form the basis of an annex containing hire-boat specific requirements.

It is intended to include a hire boat annex to the 2013 private boat requirements to contain those requirements retained from Part 10 and those new hire boat requirements adopted following this consultation.

The risk argument in favour of this change is that the BSS private boats requirements have been subject to two risk reviews since 2004 and are seen in general terms as representing reasonable and proportionate risk controls.

### **3.2.2 General impact**

The overall general impact of the proposal to use the 2013 private boat requirements as a basis is set out below:

- A generally neutral impact on BSS hire boat obligation concerning 139 requirements.
- A less onerous obligation for hire boats as assessed against the current BSS 2002 standards is proposed concerning 22 requirements.
- Additional or more comprehensive obligation for hire boats as assessed against the current BSS 2002 standards is proposed concerning 23 requirements.

### **3.2.3 The 23 additional or more comprehensive requirements being:**

- a) any disused fuel filling points must be disabled.
- b) fuel tank vent hose connections must be accessible for inspection.
- c) petrol tank filler connections must enter the tank at the top of the tank.
- d) the use of wooden bungs to terminate a fuel tank drain facility is disallowed.
- e) high-pressure diesel fuel lines between injection pumps and injectors must be constructed of metallic pipe and not to be made of hose material
- f) petrol engine flame traps are now visually inspected to see that any gauze or filter elements are complete.
- g) structures and surfaces surrounding exhaust system components must be free of signs of heat damage.

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<sup>5</sup> <http://www.nationalwatersafety.org.uk/about/info/water-safety-principlesv4.pdf>



- h) any portable fuel system connection to an inboard engine must be located in the outboard well.
- i) a check concerning the type, location and condition of 230V a.c. inlet connections.
- j) a check for the type of 230V a.c. power source lead connections.
- k) a check of the condition of 230V a.c. power source leads and connectors.
- l) addressing the fire/electrocution risk associated with using un-synchronised 230V a.c. supplies simultaneously, a check that male pins on power source inlet connections are not 'live' when an alternative power source is connected to the 230V a.c. system.
- m) a check for the presence of a consumer unit on 230V a.c. systems.
- n) portable fuel tanks within inboard engine spaces connecting to fixed engines are not permitted.
- o) spare fuel containers are to be in good condition.
- p) a maximum capacity of individual portable petrol tanks must permit safe and convenient carrying and removal for refilling outside the vessel, i.e. be a maximum capacity of 27L.
- q) portable fire extinguishers to be in open view, or their location clearly marked.
- r) the check of gas locker condition has changed from an assessment of gas-tightness to a check for any path for leaked LPG to enter the interior of the vessel.
- s) gas locker repairs must meet the thickness and other integrity requirements to match the original construction
- t) gas cylinder movement whilst in position in the gas locker must not cause any pulling tight of any LPG hose.
- u) low pressure LPG hoses only to be used to connect regulators or appliances to gas supply pipework and to be a maximum of 1m in length.
- v) a check of any 'bullseye' decklight for signs of heat damage to the surrounding surfaces and materials.
- w) a check for, unintended gaps or cracks in the outside surface or seams of a solid fuel stove; or, unintended gaps greater than 2mm in the loading door seal or door glass; or, loose, damaged or missing cover plates.

Having held a Standards Appraisal review by all BSS stakeholder organisations in 2004, followed by a formal consultation, most of the above requirements were introduced in 2005. So while we are not re-reviewing these requirements during this consultation, there is still the potential comment on them.

Likewise, a number of editorial changes and a small number of additional requirements were subject to public consultation in 2012; and again it is not intended to consult on these requirements themselves but any comments are welcomed.

The formal introduction of the above BSS private boat requirements for hire boats (a-w above) has been through the review process and stakeholder committees and an impact assessment has been made – it can be viewed [here](#). The impact is not considered to be significant.

### 3.2.4 Changes to five existing 2002 BSS hire boat standards

The proposals will also result in the following changes to five existing hire boat standards:

- weed hatch requirements should also apply to those bow thruster hatches that can be opened by hirers;
- the requirement for a means of reversing, operable from every helm position, should include outboard motors, etc;
- handrail/guardrail requirement should be brought in-line with ISO 15085 standard; and include ‘handholds’ at designated crew areas;
- lifebuoys should be in good condition; and have floating lines when the hire boat is used on MCA category C & D waters (tidal rivers and estuaries and large, deep lakes and lochs)
- fire blankets should be permanently fixed in open view

See more detail in Section 5 [below](#).

The proposals have been through the review process and stakeholder committees and an impact assessment has been made – it can be viewed [here](#).

### 3.3 Section 3 Questions

**Question 1. Do you agree the proposal to introduce six new BSS hire boat requirements?**

Yes	
No	
Don't know	
Comment	

**Question 2. Do you agree that the 2013 BSS private boat requirements should be the basis of BSS hire boat requirements?**

Yes	
No	
Don't know	
Comment	

**Question 3. Do you agree the proposal to amend a further five existing BSS hire boat standards?**

Yes	
No	
Don't know	
Comment	

**Question 4. Do you support the changes in full, without needing to answer any further questions?**

Yes	
No	<i>If you have indicated the answer as 'no' to this question, you may note that questions 5 to 15 offer an opportunity to comment on specific proposed changes.</i>
Comment	

If you have answered 'yes' to Question 4, you may wish to go straight to Section 6 (About this consultation)

If you have answered 'no', please read on to section 4 & 5 and where you will find details on the specific proposals and questions 5 to 15 offer an opportunity for you to give us your views on those proposals.

### 3.4 Further References

The BSS Examination Checking Procedures for the 2013 private boat requirements can be viewed [here](#) .

The current 2002 BSS standards applicable to hire boats can be viewed [here](#).

More detailed information concerning the changes between the 2002 BSS standards and the 2005 BSS private boat requirements, including on those checks removed, is contained in Annex A1 of the consultation document supporting the 2005 BSS private boat requirements, click [here](#)<sup>6</sup>

Various small changes to the 2005 BSS private boat requirements were implemented on 1 January 2013. For more information about those changes click [here](#).

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<sup>6</sup> Consultation document on the modernisation of Boat Safety Scheme requirements for privately owned vessels July 2004: <http://www.boatsafety scheme.org/media/273981/ANNEX-A1-Proposed-Changes-FINAL.pdf>

## Section 4 - The proposed new BSS hire boat requirements

### 4.1 It is proposed that there should be suitable smoke alarm provision on hire boats having overnight accommodation.

According to the proposed new check:

- A smoke alarm must be fitted at high level within 10m of each cabin used for overnight accommodation.
- Smoke alarms must be marked as being certified by an accredited third party body to the relevant standards, currently EN 14604 or equivalent.
- Alarms must be provided with a test function button.

The actual type, number and location of alarms will be a matter for the hire operator as determined through risk assessment and through adherence to alarm manufacturer placement instructions.

Alternative placement advice endorsed by the Fire Protection Association and a list of smoke alarms identified by the makers as suitable for boats, as provided by the Fire Industries Association, is available [here](#).

The basis of the proposed new requirement is that the outbreak of fire, whilst the crew is asleep, presents an immediate threat to life through smoke inhalation, especially where even two breaths of toxic smoke can render someone unconscious while continuing to breathe in toxic gases with potential fatal consequences. Furthermore, incident reports show that fire on boats develops rapidly, so surviving fire without harm depends on a very speedy response and escape. As the detection of fire by human senses cannot be relied upon and any delay is critical, the risk is not acceptable to hirers and risk control measures are warranted.

Concerning fires associated with behavioural causes, the existing primary fire risk control is the responsibility of hire operators to ensure that hirers are briefed on the avoidance of introducing fire hazards such as discarded cigarettes, candles, charcoal barbecues, hirer-provided electrical and portable LPG appliances or hazards associated with things like tea-towel drying using cooking or heating equipment.

In the last 20 years there have been no fatal incidents concerning fires on hire boats, although there have been 30 incidents of fatalities occurring on private boats. These have been linked to behavioural and equipment causes and outcomes influenced by matters such as the drinking of alcohol and the lack of early awareness that fire had started on their boats. The proposal for smoke alarm augments the hire operator's responsibility and helps reduce the risk of fatalities and injuries to as low as reasonably practical.

The proposal aligns hire boats with other types of self-catering holiday accommodation, such as holiday homes, that have smoke alarm protection supported by risk assessments discharging duties under the Regulatory Reform (Fire Safety) Order 2005. This regulation does not apply to hire boats.

Other legislation covering England, Wales & Scotland insists that rental residences must now have suitable smoke or fire alarm provision.

The impact assessment can be viewed [here](#).

Note that British Marine have concerns about the cost to industry of introducing smoke alarms and query whether hire boats without solid fuel stoves need them. British Marine would prefer any requirement to be advisory rather than mandatory and argue that the handover procedure may adequately address the risk by mitigating the risk of fire. No other BSS stakeholder organisation supports this view.

**Question 5 - Do you agree that there should be a requirement for suitable smoke alarm provision on hire boats with overnight accommodation?**

Yes	
No	
Don't know	
Comment	

**4.2 It is proposed that there should be suitable carbon monoxide (CO) alarm provision on hire boats having solid fuel stove installations.**

According to the proposed new check:

- All hire boats having overnight accommodation and an installed solid fuel stove appliance must be provided with a carbon monoxide (CO) alarm within the same space as the solid fuel stove.
- CO alarms must be marked as being certified by an accredited third party body to EN 50291 or equivalent.
- CO alarms in the same space as the solid fuel stove must be wall-mounted at high level at least 150mm below the ceiling height.
- For each overnight accommodation space separated from the space containing the alarm by a door(s) and being greater than 10m distance from the CO alarm, an additional CO alarm must be provided, located in the breathing zone, i.e. near to the bed head.
- Alarms must be provided with a test function button.

The actual type, number and location of alarms will be a matter for the hire operator as determined through risk assessment and through adherence to alarm manufacturer placement instructions.

Alternative placement advice endorsed by the Council of Gas Detection & Environmental Monitoring (CoGDEM) and a list of CO alarms identified by the makers as suitable for boats, as provided by CoGDEM, is available [here](#).

The primary proactive risk control is the appropriate selection, installation, maintenance and use of appliances and ensuring appropriate behaviour concerning hirers not introducing other CO sources such as charcoal barbeques or space-heating using the LPG cooker.

Hire operators are responsible for ensuring that new/replacement appliances are suitable for boat installation and installations are maintained properly.

Hire operators are responsible for ensuring that hirers are briefed on the avoidance of introducing CO hazards.

The basis of the proposed new requirement is:

- CO is a deadly toxin that, with little warning, can kill in minutes with even moderate concentrations. People having suffered non-fatal CO poisoning can continue to live with medium and long term health effects. It cannot be seen, smelt or felt by anyone in its presence. More information on CO is available [here](#).
- solid fuel stoves present known source of CO, if and when flue gases escape into the cabin. Although no holiday hirers have died from CO poisoning in the last 20 years, six boaters have died in circumstances where the solid fuel stove was the source of the deadly gas. The proposal for CO alarms on hire boats where solid fuel stoves are fitted, helps reduce the risk to as low as reasonably practical.
- the number of holiday hire boats having solid fuel stoves is likely to be around 300;
- hirers may be unfamiliar with stove use and so flue gas escape may be more likely and solid fuel stoves may remain lit at night when the biological effects of poisoning may go unnoticed or undetected;
- the presence of carbon monoxide cannot be detected through human senses and so there is total unawareness of the risk, indicating risk control measures are warranted.
- legislation covering England, Wales & Scotland now insists that rental residences, including vessels, must now have suitable CO alarms where the accommodation has solid fuel stoves fitted.

The impact assessment can be viewed [here](#).

*Note that the BSS makes a general recommendation that all boats with fuel burning appliances on board should have suitable audible CO alarms fitted.*

**Question 6. Do you agree that there should be a requirement for suitable CO alarm provision on hire boats with solid fuel stoves?**

Yes	
No	
Don't know	
Comment	

**4.3 It is proposed that a visual indication by warning notice, or deck marking is introduced to address the risk of hirers being knocked overboard by the swing of the tiller arm on hired narrowboats**

According to the proposed new check:

- On all hired narrowboats (and vessels of a similar type fitted with a tiller) the full arc described by the movement of the tiller must be clearly identified on the underlying deck or alternatively a warning notice provided in sight of the helm position may be used.
- If the deck is marked, the segment described by the whole tiller, or the arc described by the forward end of the tiller, must be clearly marked and distinguishable from other parts of the deck forward of the tiller; and the arc or segment markings must be permanent and must not be a trip or slip hazard for crew.

The basis of the proposed new requirement is the risk associated with the uncontrolled movement of the tiller arm whilst navigating in the event of the boat hitting an underwater obstruction, the rudder fouling unexpectedly or the helmsman having to engage reverse gear urgently perhaps to avoid a collision. The tiller arm swinging can, and has, led to crew members being knocked overboard.

As over half of the recorded boating accidents and fatalities are from slips, trips, falls and man overboard events, this is the obvious key priority for risk reduction. The risk is not acceptable to hirers because the circumstances and potential consequences of an uncontrolled tiller arm swing will be sudden and potentially severe.

Hire operators are responsible for ensuring that hirers are briefed on the avoidance of falling overboard and the proposal for a visual indication where not to stand whilst navigating augments the handover instruction and helps reduce the risk to as low as reasonably practical. The requirement is proposed to apply irrespective of the style of the stern (trad/semi-trad/cruiser, etc.) or whether guard-rails or similar are fitted around the stern deck. The risk is known and accepted and the consequences are potentially severe, indicating risk control measures are warranted. The impact assessment can be viewed [here](#).

**Question 7. Do you agree on boats with tiller steering there should be a clear warning to people on a sign in sight of the helm position, or by marking the deck area, not to stand within the arc of the tiller arm whilst navigating?**

Yes	
No	
Don't know	
Comment	

#### 4.4 It is proposed that labels are required to identify secondary means of escape on hire boats where these are not self-evident

According to the proposed new check:

- Designated means of escape, other than the main doors, from all accommodation spaces must be clearly marked by a label of suitable proprietary manufacture positioned in open view with all removable lids, doors, curtains etc. in place.
- Where tools are required to open a means of escape (such as hammer to break a window) a label in open view (with all removable lids, doors, curtains etc. in place) giving guidance on how to operate the means of ‘breaking out’ must be provided on or immediately adjacent to the opening.
- Labels must be in good condition, with all markings clear and complete.

The basis of the proposed new requirement is that in the event of a fire it is essential that hirers can escape away from the fire and not have to risk escaping by or through smoke or flames. Also any delay in escaping whatsoever can be critical in surviving a fire because of the threats of its rapid development and because of smoke inhalation (see section 4.1 above). The risk is not acceptable to hirers.

In some cases the means of escape may be obvious (e.g. main external cabin doors), but in other case escape may be via deck hatches, or windows, which may not be obvious to hirers indicating risk control measures are warranted. The proposal for labels to identify secondary means of escape on hire boats where these are not self-evident will augment the handover instruction and helps reduce the risk to as low as reasonably practical.

The proposal aligns hire boats with other types of self-catering holiday accommodation, such as holiday homes, that have fire escape route labels supported by risk assessments discharging duties under the Regulatory Reform (Fire Safety) Order 2005. This regulation does not apply to hire boats.

The impact assessment can be viewed [here](#).

#### Question 8. Do you agree that each secondary means of escape should be labelled if it is not self-evident?

Yes	
No	
Don't know	
Comment	



**4.5 It is proposed that a Crew Area and Access Limitation Label shall be in view of each helm position on hire boats to denote the maximum number of people allowed on board and where they should and should not go**

*Note that the introduction of this proposed new BSS requirement is subject to the navigation authorities implementing the Hire Boat Code, possibly from April 2017. The current draft of the Hire Boat Code includes the requirement for a Crew Area and Access Limitation Label. The purpose of consulting on this now is to test opinion on the proposed new associated BSS requirement.*

According to the proposed new check:

- All vessels must be provided with a Crew Area and Access Limitation Label which must be in open view, in view of each helm position with all its markings and lettering clearly visible and complete, from each helm position.
- Crew Area and Access Limitation Labels must be clearly marked with a schematic outline of the boat, and clearly identify the:
  - Maximum number of persons permitted on board;
  - Permissible Crew Areas, including where appropriate the maximum number of persons permitted on external decks and cabin structures;
  - General Warning symbol (exclamation mark in triangle).
- Crew Area and Access Limitation Labels must be made of rigid plate or flexible labels affixed to the vessel in such a way that they can only be removed by the use of tools. Text shall be in black on a white background, using a plain typeface.
- Crew Area and Access Limitation Labels must show no signs of damage and/or deterioration.

The basis of the proposed new requirement is to provide continual visual guidance for hirers as to where it is safe for them to stand, walk, sit or lie during normal operation of the boat. The proposal supports the navigation authorities' intention to manage the hire boat capsize risk, will aid hire operator's instruction of hirers during handover and so helps reduce the risk to as low as reasonably practical.

Examiners will not be required to check the validity of the information contained on Crew Area and Access Limitation Labels and it is recognised that Crew Areas may differ between boats of a similar design.

Note also that it will be the hire operator's responsibility to determine the extent of the Crew Areas, but as addressed by the draft revised Hire Boat Code, all primary cockpits and all access routes on/off a boat will be included.

The impact assessment can be viewed [here](#).

**Question 9. Do you agree that (subject to further consultation on the revised Hire Boat Code) there should be a Crew Area and Access Limitation Label visible from each helm position on all hire boats, indicating the maximum number permitted on board and the permissible Crew Areas?**

Yes	
No	
Don't know	
Comment	

**4.6 It is proposed that slip-resistant surfaces must be provided on designated external Crew Areas on hire boats and the slip-resistant surfaces must be in good condition**

*Note that the introduction of this proposed new BSS requirement is subject to the navigation authorities implementing the Hire Boat Code, possibly from April 2017. The current draft of the Hire Boat Code includes the requirement slip-resistant surfaces must be provided on designated external Crew Areas. The purpose of consulting on this now is to test opinion on the proposed new associated BSS requirement.*

According to the proposed new check:

- All designated external Crew Areas (as designated by the Crew Area and Access Limitation Label) must be provided with slip-resistant surfaces.
- All boarding planks must be provided with a slip-resistance surface on one side.
- All companionway steps must be provided with a slip-resistance surface.
- Slip-resistant surfaces need not be continuous, but any gaps must not be greater than:
  - 75 mm for non-glazed areas;
  - 500 mm for glazed areas (e.g. deck hatch).
- The condition of all slip-resistant surfaces must be such that the slip-resistance properties have not been reduced significantly.
- Any loose coverings, such as rubber mats must not be capable of unintended movement. They must be held in place by fixings or by the layout of adjacent boat structures.

Risk control measures are divided into three approaches, a) prevention from falling in, b) mitigation of the effects of falling in and c) safe recovery. This proposal supports the approach to prevent falling in.

The basis of the proposed new requirement is that from the risk review it is clear that slips, trips and fall incidents across the inland waterways represent the highest risk, indicating risk

control measures are warranted. The proposal for slip-resistant surfaces in good condition and at designated Crew Areas, helps reduce the risk to as low as reasonably practical.

Slip-resistant surfaces are those intentionally prepared, machined, covered, moulded, etc. to provide increased adherence between the foot (or shoe) and the surface of the deck.

Examples of slip-resistant surfaces include: paint with slip-resistant characteristics; pattern moulded FRP; timber and composite boards and panels; embossed metal plate; unpainted timber; and slip-resistant coverings (e.g. rubber mats),

When checking the condition of slip-resistant surfaces BSS Examiners will pay particular attention to high-tread areas such as cockpits and adjacent side decks, stern and bow decks, and areas around mooring points.

Examiners will not be required to assess the effectiveness of the materials used, when making an assessment of condition. The approach adopted is that boats built to Recreational Craft Directive (RCD) will have slip-resistant surfaces applied to working decks and so BSS Examiners need only check for degradation against areas not apparently degraded.

BSS Examiners will limit the application to external Crew Areas (as designated by the Crew Area and Access Limitation Label), boarding planks and companionway steps. For the purpose of this check, 'companionway steps' include all steps used by hirers to enter the interior of the boat from an external Crew Area.

Examples of degrading include: contamination (e.g. oil and mud); erosion/abrasion; peeling, or completely missing slip-resistant material). When assessing condition, examiners will compare the properties of any degraded areas of slip-resistance surface against an area of slip-resistant surface that is not degraded.

In view of concerns that it may be challenging to ensure all BSS Examiners apply the checks in a consistent way, it is intended to publish the examiner training material in order that hire operators may self-assess and ensure BSS compliance at all times.

The impact assessment can be viewed [here](#).

**Question 10. Do you agree that there should be slip-resistant surfaces in good condition on external Crew Areas where hirers are allowed to go?**

Yes	
No	
Don't know	
Comment	

## Section 5 - The proposed five clarifications or improvements to the existing BSS hire boat standards

### 5.1 It is proposed that weed hatch requirements should also apply to those bow thruster hatches that can be opened by hirers.

According to the existing check:

- Stern propeller weed hatch openings within the interior of the vessel must be at least 150mm above the normal laden waterline.
- Stern propeller weed hatch cover securing arrangements within the interior of the vessel must be complete and free of signs of damage or deterioration.
- Where located within the interior of the vessel, weed hatch gaskets between the cover and the main structure must be free of signs of damage or deterioration.

The current application of the standard is to stern propeller weed hatches only. The proposed change is to extend the scope to cover any through-hull 'appliance' hatch openings (such as bow thrusters and mud boxes) where these are within the interior of the vessel, and/or accessible by hirers.

If such through-hull appliance hatch openings are present, BSS Examiners will establish from the hire operator whether or not hirers are permitted access.

The basis of the proposed change is that if appliance hatch openings are too close to the waterline, and/or covers are not inherently watertight, or not refitted correctly by hirers, water will ingress and ultimately flood in, indicating risk control measures are warranted.

The risk review determined that, in order to reduce the risk to as low as reasonably practical, the requirement should be applicable to bow thrusters (and any similar alternative 'appliances') in cases where hirers are expected to access such appliances for day to day maintenance.

The impact assessment can be viewed [here](#).

*Note; that the opportunity have been taken to clarify the impact of the first bullet point above in respect of new CE marked hire boats, in order that no conflict with the RCD is encountered. It is proposed that where a weed hatch opening height above the normal laden waterline is found less than the 150mm measurement but the vessel is CE marked according to the RCD and the Declaration of Conformity references ISO 12217-1:2013 or ISO 12217-3:2013 as the Harmonised Standard meeting the RCD Essential Requirement 3.2, 3.3, and 3.5; examiners should contact the BSS Office for guidance.*

**Question 11. Do you agree that weed hatch requirements should also apply to those bow thruster hatches or any other appliances that can be opened by hirers?**

Yes	
No	
Don't know	
Comment	

**5.2 It is proposed that the current hire boat standard for a means of reversing, operable from every helm position, should include outboard motors**

According to the existing standard, every hire boat shall have effective means of reversing operable from the steering position

The proposed change is to clarify that its universal application, such that all powered hire boats must have a means to reverse including, but not limited to: fixed internal combustion engines; fixed electric motors; outboard motors; steam engines; and Stirling engines.

The basis of the proposed largely editorial change is that incidents across the inland waterways caused by poor boat handling/collision are high in number and consequences can be severe, even with the provision of reversing mechanisms being the norm. The added clarity to this requirement is essential in order to reduce the risk of falling in through collision to as low as reasonably practical.

The impact assessment can be viewed [here](#).

**Question 12. Do you agree that hire boat requirement for a means of reversing, operable from every helm position, should include outboard motors and all other power-driven propulsion systems?**

Yes	
No	
Don't know	
Comment	

**5.3 It is proposed that the current hire boat handrail/guardrail standard should be brought in-line with ISO 15085 standard; and include 'handholds' at designated crew areas.**

*Note that the introduction of the re-worded BSS requirement, in as much as it refers to 'Crew Areas', is subject to the navigation authorities implementing the Hire Boat Code, possibly from April 2017.*

According to the existing requirement, where there are walkways, handrails of adequate strength shall be fitted where practicable for the full length of all cabin tops, or guard-rails shall be fitted around the perimeter of the deck.

The proposed change is largely editorial and according to the proposed re-worded check:

- All designated external Crew Areas (as designated by the Crew Area and Access Limitation Label) must be provided with handholds.
- Crew Area handholds must be secured against unintended movement and be free of signs of damage and/or deterioration.
- Any gaps between handholds must not exceed 1.5m.

The basis of the proposed new requirement is that from the risk review it is clear that slips, trips and fall incidents across the inland waterways, including some with fatal consequences, represent the highest risk. The proposed change is intended to align the BSS requirement with the relevant international standard ISO 15085 and the Hire Boat Code and it supports a reduction in the level of risk to as low as reasonably practical.

The impact assessment can be viewed [here](#).

**Question 13. Do you agree that the current hire boat handrail/guardrail requirement should be brought in-line with ISO 15085 standard; and include ‘handholds’ at designated Crew Areas?**

Yes	
No	
Don't know	
Comment	

**5.4 It is proposed that the current hire boat lifebuoy standard should be amended to include a check that the lifebuoys are in good condition; and have floating lines when the hire boat is used on MCA category C & D waters (tidal rivers and estuaries and large, deep lakes and lochs)**

According to the existing check at least one lifebuoy shall be carried on each hire boat in a readily accessible position.

The proposed change is to a large extent editorial and according to the proposed re-worded check:

- All hire boats must be provided with at least one suitable lifebuoy which must be:
  - of suitable proprietary manufacture;
  - readily accessible;
  - located where it can be quickly and effectively deployed overboard.

- On boats operating on Category C and/or D waters a buoyant lifeline must be attached to at least one suitable lifebuoy. The lifeline must have a diameter of at least 8mm, and be no less than 18m in length. The lifeline must be free of signs of damage or deterioration.
- All lifebuoy(s) must be free of signs of damage or deterioration.

The basis of the proposed new requirement is that from the risk review it is clear that across the inland waterways, overboard incidents from slips, trips and falls represent the highest risk and consequences can be severe.

The proposed change aligns the BSS requirement with the approach adopted in the Merchant Shipping Regulation requirements (MSN 1676) and the associated coverage of the published Hire Boat Code and recognises the potentially more severe boating environment on Category C and/or D waters.

Risk control measures aimed at the risk of drowning are divided into three approaches, a) prevention from falling in, b) mitigation of the effects of falling in and c) safe recovery. This proposal supports the approach to mitigate the effects of falling in or safe recovery should it happen. As such it is essential in order to reduce the risk to as low as reasonably practical, The impact assessment can be viewed [here](#).

**Question 14. Do you agree that lifebuoys should be in good condition and have floating lines when the hire boat is used on MCA category C & D waters?**

Yes	
No	
Don't know	
Comment	

### **5.5 It is proposed that the current hire boat standard for fire blankets should be amended to include that fire blankets should be permanently fixed in open view**

According to the existing hire boat standards, in vessels fitted with cooking facilities, a fire blanket ready for immediate use shall be kept nearby.

The proposed change will be an additional check that fire blanket containers are:

- Fixed permanently in a position which allows the blanket to be removed quickly and effectively from the container;
- In open view from the main cooking appliance with all removable lids, doors, curtains etc in place.

The basis of the proposed change is that in the event of any galley fire, the fire blanket location may not be apparent and/or hirers may not be able to remove the blanket quickly enough from its container if the container is not affixed in open view, when called upon in an emergency. On private craft, galley fires have caused severe consequences including fatalities,

indicating that risk control measures are necessary in order to reduce the risk to as low as reasonably practical.

The impact assessment can be viewed [here](#).

**Question 15. Do you agree that the hire boat standard for fire blankets should be amended to include that fire blankets must be permanently fixed in open view?**

Yes	
No	
Don't know	
Comment	



## Section 6 - About this consultation

### 6.1 How is the consultation to be run?

The consultation is open until Friday 13 November 2015. With the launch of the consultation on Friday 4 September this provides a 10-week period.

The 10 week period is chosen instead of the normal 12-week period as a balance between the following factors:

- a) in view of the close engagement with hire trade and hire operators leading up to this consultation;
- b) in recognition that hire operators may be busy hiring boats during the height of the summer and may not be in a position to comment until later in the consultation period;
- c) the need to finalise any new requirements early in 2016 to allow operators time to implement the changes.

We will produce a summary of the views expressed and our response by Friday 18 December 2015. This will be published on our website [www.boatsafetyscheme.org](http://www.boatsafetyscheme.org)

A communications campaign will promote the final agreed changes in very early 2016.

The revised Boat Safety Scheme requirements for hire boats are intended to come into effect from April 2016. Note that the introduction of those revised requirements aligned to the proposed introduction of the Hire Boat Code will follow in due course.

#### **Question 16. Do you agree with the intention to introduce the revised BSS hire boat requirements from April 2016?**

Yes	
No	
Don't know	
Comment	

Your views are invited on any unintended consequences concerning introducing a specific proposal or on the generality of these proposals.

#### **Question 17. Do you agree that there are no unintended consequences concerning introducing a specific proposal or on the generality of these proposals?**

Yes	
No	
Don't know	
Comment	

**6.2 About you and your responses.**

**Question 18.** Please tell us your name and indicate your sector of interest (for example hire boat operator, boat hirer, navigation authority, BSS examiner, if other please state). Please let us know if you are responding as an individual or on behalf of a company, representative group or trade organisation.

<b>Your name</b>	
<b>Sector of interest</b>	
<b>Company name (if applicable)</b>	

When we publish the results of this consultation we would like to be able to make reference those organisations responding and possibly quote from the comments made.

**Question 19. Are you happy for your name and organisation to be made public?**

Yes	
No	
Comment	

**Question 20. Are you happy for your responses to be made public?**

Yes	
No	
Comment	

**Geographical/organisational considerations**

**Question 21.** In regard to your responses, do your responses/comments relate to any particular area of inland waterway hire boating? It would be helpful if you would select **one** of the following

- All inland waters / general
- Avon Navigation Trust
- Basingstoke Canal Authority
- Bridgewater Canal Company Ltd
- Broads Authority
- Canal & River Trust
- Chelmer & Blackwater - Essex Waterways
- Conservators of the River Cam
- Environment Agency
- Middle Level Commissioners
- R. Wey - National Trust
- Scottish Canals
- Other (please specify)  .....

*\*We may share the relevant results of the consultation with the specific navigation authority as appropriate*

### **6.3 Alternative means of submitting responses**

Alternatively, you can email comments [BSS.enquiries@boatsafetyscheme.org](mailto:BSS.enquiries@boatsafetyscheme.org)

If you prefer to put your comments on paper, you can send them to:

BSS Hire Boat Consultation  
Boat Safety Scheme,  
First Floor North,  
Station House,  
500 Elder Gate,  
Milton Keynes  
MK9 1BB

### **6.4 Further information**

Should you have any questions about this consultation and how to respond, please contact the BSS Administrator at [BSS.enquiries@boatsafetyscheme.org](mailto:BSS.enquiries@boatsafetyscheme.org) or call 0333 202 1000.

A hard copy of the consultation document is available upon request.

BSS Risk Review and Assessment Papers concerning specific proposals can be made available upon request.

This consultation is being carried out in accordance with the 'Consultation Principles' in the Better Regulation Executive guidance which can be found at

<https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any complaints or comments about the consultation process please direct them to:

[BSS.enquiries@boatsafetyscheme.org](mailto:BSS.enquiries@boatsafetyscheme.org) or write to the address above.